



राजपत्र, हिमाचल प्रदेश (अप्रसाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, सोमवार, 7 जून, 2004/17 ज्येष्ठ, 1926

हिमाचल प्रदेश सरकार

सामान्य प्रशासन (आतिथ्य) विभाग

अधिसूचना

शिमला-171002, 24 मई, 2004

संख्या होस्प0 ए (9)-7/99.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से इस विभाग की अधिसूचना संख्या होस्प0 ए (9)-7/99 तारीख 1-5-2001 द्वारा अधिसूचित दी हिमाचल प्रदेश होस्पोटेलिटी एण्ड प्रोटोकोल डिपार्टमेंट सीनियर ऐसीसटेंट क्लास-III (नान गेजटिड) रैक्कटमेंट एण्ड प्रमोशन रूलज में संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

१. संक्षिप्त नाम और प्रारम्भ.—(1) इन नियमों का संक्षिप्त नाम दी हिमाचल प्रदेश होस्पोटेलिटी एण्ड प्रोटोकोल डिपार्टमेंट सीनियर ऐसीसटेंट क्लास-III (नान गेजटिड) रैक्कटमेंट एण्ड प्रमोशन (प्रथम संशोधन) रूलज, 2004 है।

(2) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे ।

2. अर्नैक्सचर "ए" का संशोधन.—दी हिमाचल प्रदेश होस्पिटेलिटी एण्ड प्रोटोकॉल डिपार्टमेंट सीनियर एसीस्टेंट क्लास-III (नान गैजटिड) रैक्यूटमेंट एण्ड प्रोमोशन रूलज, 2001 के अर्नैक्सचर "ए" में :—

(क) स्तम्भ संख्या 2 के सामने विद्यमान उपबन्धों के स्थान पर निम्नलिखित प्रतिस्थापित किया जायेगा, अर्थात् :—

"2 (Two)"

(ख) स्तम्भ संख्या 10 के सामने विद्यमान उपबन्धों के स्थान पर निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात् :—

"100% by promotion failing which on secondment basis."

(ग) स्तम्भ संख्या 11 के सामने विद्यमान उपबन्धों के स्थान पर निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात् :—

"By promotion from amongst the common clerical cadre of Clerks/Junior Assistants with 10 years regular service or regular combined with continuous *ad hoc* service rendered, if any, in the grade, failing which by secondment basis from amongst the incumbents of the post working in the identical pay scale from other Himachal Pradesh Government Department :

Provided that those Clerks who have been promoted from amongst the Class-IV employees or appointed on compassionate grounds having the educational qualification Matric pass or Matric in English only and Hindi Rattan pass at the time of such promotion/appointment shall not be promoted to the post of Senior Assistant unless they possess the essential qualification viz. Matric 2nd Division or 10+2 pass as prescribed for direct recruitment".

(1) In all cases of promotion, the continuous *ad hoc* service rendered in the feeder post if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition that the *ad hoc* appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of R & P Rules provided that :

(a) That in all cases where a junior person becomes eligible for consideration by virtue of his/her total length of service (including the service rendered on *ad hoc* basis, followed by regular service/appointment) in the feeder post in view of the provision referred to above, all persons senior to him/her in the respective category/post/cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration:

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment and Promotion Rules for the post, whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him/her shall also be deemed to be ineligible for consideration for such promotion.

Explanation.—The last proviso shall not render the junior incumbent(s) ineligible for consideration for promotion if the senior ineligible person(s) happened to be Ex-servicemen recruited under the provisions of Rule 3 of the Demobilised Armed Forces Personnel (Reservation of Vacancies in Himachal Pradesh State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule 3 of the Ex-servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority thereunder.

(2) Similarly in all cases of confirmation *ad hoc* service rendered in the feeder post, if any, prior to the regular appointment/promotion against such post shall be taken into account towards the length of service, if the *ad hoc* appointment/promotion had been made after proper selection and in accordance with the provisions of the Recruitment and Promotion Rules:

Provided that *inter-se* seniority as a result of confirmation after taking into account *ad hoc* service rendered as referred to above shall remain unchanged.

(घ) स्तम्भ संख्या 6, 7, 14 तथा 15 के सामने विद्यमान उपबन्धों के स्थान पर निम्नलिखित प्रतिस्थापित किया जायेगा अर्थात् :—

“Not applicable”

आदेश द्वारा,

हस्ताक्षरित/-
सचिव ।

[Authoritative English text of this Department Notification No. Hosp. A(9)7/99, dated 24-5-2004 as required under clause (3) of Article 348 of the Constitution of India].

GENERAL ADMINISTRATION (HOSPITALITY) DEPARTMENT

NOTIFICATION

Shimla-2, the 24th May, 2004

No. Hosp. A(9)7/99.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to make the following Rule to further amend the Recruitment & Promotion Rules, for the post of Senior Assistant (Class-III, Non-Gazetted) in the Department of Hospitality & Protocol, Himachal Pradesh notified *vide* Notification No. Hosp. A(9)7/99, dated 1-5-2001, namely :—

1. **Short title and commencement.**—(1) These rules may be called the Himachal Pradesh Hospitality & Protocol Department, Senior Assistant (Class-III, Non-Gazetted) Recruitment & Promotion (First Amendment) Rules, 2004.

(2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

2. *Amendment of Annexure "A".*—In Annexure "A" to the Himachal Pradesh Department of Hospitality & Protocol, Senior Assistant (Class-III, Non-Gazetted) Recruitment and Promotion Rules, 2001 :—

(a) for the existing provisions against column No. 2 the following shall be substituted, namely:—

"02 (two)"

(b) For the existing provision against Column No. 10, the following shall be substituted, namely :—

"100% by promotion failing which on secondment basis"; and

(c) for the existing provisions against Column No. 11, the following shall be substituted, namely :—

"By promotion from amongst the common clerical cadre of Clerks/Junior Assistants with 10 years regular service or regular combined with continuous *ad hoc* service rendered, if any, in the grade failing which by secondment basis from amongst the incumbents of the post working in the identical pay scale from other Himachal Pradesh Government Department :

Provided that those Clerks who have been promoted from amongst the Class-IV employees or appointed on compassionate grounds having the educational qualification Matric pass or Matric in English only and Hindi Rattan pass at the time of such promotion/appointment shall not be promoted to the post of Senior Assistant unless they possess the essential qualification viz. Matric 2nd Division or 10+2 pass as prescribed for direct recruitment."

(1) In all cases of promotion, the continuous *ad hoc* service rendered in the feeder post, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition that the *ad hoc* appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of R & P Rules, provided that:

(a) That in all cases where a junior person becomes eligible for consideration by virtue of his/her total length of service (including the service rendered on *ad hoc* basis followed by regular service/appointment in the feeder post in view of the provisions referred to above, all persons senior to him/her in the respective category/post/cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration :

Provided further that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment and Promotion Rules for the post, whichever is less :

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him/her shall also be deemed to be ineligible for consideration for such promotion.

Explanation.—The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be Ex-servicemen

- recruited under the provisions of Rule 3 of Demobilised Armed Forces Personnel (Reservation of Vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule 3 of Ex-servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority thereunder.

(2) Similarly, in all cases of confirmation, *ad hoc* service rendered in the feeder post, if any, prior to the regular appointment/promotion against such post shall be taken into account towards the length of service, if the *ad hoc* appointment/promotion had been made after proper selection and in accordance with the provisions of the R & P Rules :

Provided that *inter-se* seniority as a result of confirmation after taking into account, *ad hoc* service rendered as referred to above shall remain unchanged.

- (d) For the existing provisions against Column No. 6, 7, 14 and 15 the following shall be substituted, namely :—

“Not applicable”

By order,

Sd/-
Secretary.

